

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DEANO WILLIAMS,

Plaintiff,

Case No. 16-CV-10940

vs.

HON. GEORGE CARAM STEEH

LIBERTY PARK OF AMERICA,
THE DUGOUT and MARY ZOLNO,

Defendants.

_____ /

ORDER DENYING DEFENDANTS' MOTION TO ORDER
PLAINTIFF TO POST BOND [DOC. 27], GRANTING PLAINTIFF'S
MOTION FOR PAUPER STATUS [DOC. 28] AND DENYING
PLAINTIFF'S MOTION FOR APPOINTMENT OF COUNSEL [DOC. 31]

Plaintiff Deano Williams filed a civil rights case against his employer under Title VII of the Civil Rights Act of 1964 and the Michigan Elliot-Larsen Civil Rights Act. His complaint alleged racial discrimination, harassment and retaliation by defendants Liberty Park of America, the Dugout and Mary Zolno. The court granted defendants' motion for summary judgment on July 18, 2017. Plaintiff filed a notice of appeal on August 16, 2017. Now pending before the court are defendants' motion to order plaintiff to post bond for costs, plaintiff's motion for pauper status and plaintiff's motion for

appointment of counsel. The court has read the papers filed by the parties and has determined that it would not be further aided by oral argument.

Based on the information in plaintiff's financial affidavit, the court is persuaded that plaintiff qualifies for pauper status in his appeal. While the court has the discretion and authority to order a plaintiff to file a bond for defendant's attorney fees and other litigation expenses that will be incurred in having to defend an appeal, the court does not find that a bond is warranted in this case. Requiring plaintiff to file a bond for \$5,000, as requested, or even for a lesser amount, would be tantamount to taking away his right to appeal. The court does not find that an appeal in this case is so obviously frivolous and unlikely to succeed that it should order plaintiff to file a bond. Finally, plaintiff requests that the court appoint an attorney to represent him in pursuing his appeal. The court does not have the resources to provide counsel to plaintiff and cannot grant his request. Now, therefore,

IT IS HEREBY ORDERED that defendants' motion to order plaintiff to post bond for costs is DENIED (Doc. 27).

IT IS HEREBY FURTHER ORDERED that plaintiff's motion for pauper status is GRANTED (Doc. 28).

IT IS HEREBY FURTHER ORDERED that plaintiff's motion for appointment of counsel is DENIED (Doc. 31).

So ordered.

Dated: October 11, 2017

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on October 11, 2017, by electronic and/or ordinary mail and also on Deano Williams, 24695 Luisa Drive, #137, Harrison Township, MI 48045.

s/Barbara Radke
Deputy Clerk